

EXHIBIT “B”

THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

KIM HADAWAY,)	
)	
Plaintiff,)	Case No. 4:11-cv-03574
)	
v.)	
)	JUDGE MELINDA HARMON
LIFE LINE SCREENING OF)	
AMERICA, LTD,)	
)	
Defendant.)	

STATE OF SC)
COUNTY OF Berkeley) AFFIDAVIT OF KELLIE PRIVETTE

I, Kellie Privette, presently Director of Hospital & Provider Services for Life Line Screening of America, Ltd ("LLS"), being duly sworn, depose and say:

1. I am authorized to make this Affidavit. The Affidavit is being submitted in connection with LLS's Motion for Summary Judgment in the above-captioned case.
2. Prior to holding my position as Director of Hospital & Provider Services beginning 04/01/2011, I served as Head of Community Sales for LLS from 05/14/2007 to 03/31/2011. In my former capacity as Director of Community Sales and in my current capacity as Director of Hospital & Provider Services for LLS, I am familiar with the preventive health screening services that LLS sells. I am also familiar with all aspects of the position of Health Services Coordinator ("HSC").
3. LLS was founded in 1993 and is a leading provider of community-based preventive health screenings in the United States. LLS's screenings help detect potential or existing health problems of the participants to the screening events in order to prevent major health implications down the road. Since its inception, LLS has screened over 8 million people, and currently screens over 1 million people each year at over 16,000 screening events nationwide.
4. The screening services are delivered by teams usually consisting of a team manager and assistant team manager (both of whom are most often ultrasound technicians), an additional ultrasound technician, and two Medical Assistants. LLS screens up to ninety persons per day at a particular site. At the conclusion of the screening, the participants are given their blood test

results. The other results are mailed or e-mailed directly to the participants within 21 days. It is then up to each individual participant to share the information with his/her own physician.

5. LLS's preventive health screening services are offered to the public at various host venues located throughout communities in which LLS is active. The venues are often associated with community organizations whose participation has been enlisted through marketing and sales efforts of HSCs.

6. The primary duty of HSCs is to promote LLS's services by providing information to target populations about the types of screenings offered by LLS and convincing a number of people to participate, at a cost, in LLS's screening events at a particular site or venue booked in advance by the HSC.

7. Once hired, each HSC is assigned a specific territory. The HSC performs his/her primary duty independently within his/her territory. HSC's work from home and receive little or no supervision in performing their activities. Each HSC sets his/her own schedule. HSCs do not punch a clock or report their hours.



8. HSCs' commission is directly tied to the number of participants driven by their own efforts to attend the screening events. LLS expects HSCs to independently generate new business.

9. HSCs spend a significant amount of their time away from home giving speeches on the importance of preventive health screenings at workshops, lunch-and-learn sessions, churches, hospitals, and retirement homes in order to increase participation at LLS's screening events.

10. The tasks HSCs performed at home are incidental to and in conjunction with their outside sales efforts. Mainly, the tasks HSCs perform in their homes consist of researching potential screening sites on the internet, setting up appointments with the site owners, preparing for public speaking engagements to sell LLS's services, communicating with the screening teams and supervisors, and preparing activity reports.

11. The aspects of the HSC position as described in Paragraphs 6 through 11 of this Affidavit apply to Kim Hadaway, a former HSC with whose position I am familiar with because of my roles as Director of Hospital & Provider Services and Director of Community Sales for LLS.

FURTHER AFFIANT SAYETH NAUGHT.


Kelle Privette

NOTARY PUBLIC
EXPIRES 12-20-17

Sworn to and subscribed before me this 11 day of June, 2013.